

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 JUAN CARLOS MALDONADO-MEJIA,

Case No. 2:14-cv-01484-APG-VCF

4 Petitioner,

Order

5 v.

6 BRIAN E. WILLIAMS, et al.,

7 Respondents.


8 On March 19, 2018, the respondents filed a motion to dismiss the petition for writ of
9 habeas corpus. ECF No. 17. The petitioner's counsel responded that she was unsure whether the
10 petitioner has standing to pursue his petition as his sentence is fully expired and he has been
11 deported. ECF No. 22. Counsel did not respond to the substance of the motion to dismiss and
12 instead asked for further instruction or to allow the parties to brief the issue. *Id.* The respondents
13 then requested the court to consider the motion as submitted, noting that they did not raise the
14 standing issue in their motion.

15 I am not inclined to order freestanding briefing on any issues in this case. Accordingly,
16 counsel's request for further instruction or for further briefing on the jurisdictional issue is
17 denied. Should counsel believe that I do not have jurisdiction over this petition, she may file a
18 motion for appropriate relief. In the meantime, a motion to dismiss is pending and must be
19 resolved.

20 IT IS HEREBY ORDERED that petitioner shall file any response to the motion to
21 dismiss by October 19, 2018. Given the lengthy period of time the motion to dismiss has been
22 pending, I will not grant any extensions of time to oppose absent an extraordinary showing of
23

1 good cause. Should petitioner choose not to file a timely opposition to the motion to dismiss, the
2 matter will stand submitted.

3 Dated this 19th day of September, 2018.

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5 ANDREW P. GORDON
6 UNITED STATES DISTRICT JUDGE
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